



## **environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko, Arcadia· PRETORIA

**DEA Reference:** 12/12/20/2600/AM3

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Mr Matteo Brambilla  
Khoi-Sun Development (Pty) Ltd  
Postnet Suite 150  
Private Bag X3  
**ROGGEBAAI**  
8012

**Tel:** (021) 418 3940  
**Email:** [m.michalowska@buildingenergy.it](mailto:m.michalowska@buildingenergy.it)

### **PER MAIL / EMAIL**

Dear Mr Brambilla

### **AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 26 JUNE 2013 FOR THE CONSTRUCTION OF THE SKUITDRIFT 2 SOLAR PV ENERGY FACILITY ON A PORTION OF FARM 426 SKUITDRIF, SIYANDA DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE**

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 26 June 2013, the first amendment to the EA dated 19 February 2016, the second amendment to the EA dated 29 June 2018, and your application for amendment to the EA received by this Department on 05 March 2020 refer.

Based on a review of the reason for requesting an amendment to the abovementioned EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, has decided to amend the EA dated, 26 June 2013 as follows:

#### **1. Amendment to contact person and details**

##### **From**

Mr Paolo Fagnoli  
Khoi-Sun Development (Pty) Ltd  
Postnet Suite 150  
Private Bag X3  
Roggebaai  
CAPE TOWN  
8012

Tel: 021 418 3940  
Fax: 086 297 7280  
Email: [p.fagnoli@buildingenergy.it](mailto:p.fagnoli@buildingenergy.it)

##### **To**

Mr Matteo Brambilla

*MS*

Khoi-Sun Development (Pty) Ltd  
Postnet Suite 150  
Private Bag X3  
Roggebaai  
Cape Town  
8012

Tel: 021 418 3940

Email: [m.michalowska@buildingenergy.it](mailto:m.michalowska@buildingenergy.it)

**The reason for the amendment is as follows**

The previous contact person, Mr Paolo Fagnoli, has left the company and the contact person and details thus needed to be changed.

**2. Amendment to extend the commencement period of EA**

The commencement period of the EA, issued on 26 June 2013, is hereby extended by an additional three years (03) years from 26 June 2020 to **26 June 2023**. Condition 6 of the EA dated 26 June 2013 is thus amended as follows:

*"6. The activity must commence within a period of ten (10) years from the date of issue of this authorisation (i.e. the authorisation lapses on 26 June 2023). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken."*

**The reason for the amendment is as follows**

The project has received Preferred Bidder status under the Department of Energy's Small Projects Independent Power Producers (IPP) Procurement Programme. The EA was due to lapse on 26 June 2020, and a valid EA will be required for the project development. The commencement period of the EA was therefore required to be extended by an additional three (03) years, to allow sufficient time for the project construction to commence.

**General**

This letter must be read in conjunction with the EA dated 26 June 2013, the first EA amendment dated 19 February 2016; and the second EA amendment dated 29 June 2018.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision, as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

**Appeals must be submitted in writing in the prescribed form to:**

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appeals@environment.gov.za](mailto:appeals@environment.gov.za);

By hand: Environment House  
473 Steve Biko,  
Arcadia,  
Pretoria,  
0083; or

By post: Private Bag X447,  
Pretoria,  
0001;

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the decision or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at [https://www.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@environment.gov.za](mailto:appeals@environment.gov.za).

Yours faithfully

  
**Mr Sabelo Malaza**  
Chief Director: Integrated Environmental Authorisations  
Department of Environmental Affairs  
Date: 08/06/2020

CC:	Ms Anga Yaphi	Northern Cape Department of Environment and Nature Conservation	Email: <a href="mailto:ayaphi@upprov.ncape.gov.za">ayaphi@upprov.ncape.gov.za</a>
	Mr J Mackay	Kai! Garib Local Municipality	Email: <a href="mailto:mackayj@kaigarib.gov.za">mackayj@kaigarib.gov.za</a>